

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**SOLID STATE STORAGE  
SOLUTIONS, INC.,**

**Plaintiff,**

**V.**

**STEC, INC., OCZ TECHNOLOGY GROUP, INC., CORSAIR MEMORY, TEXAS MEMORY SYSTEMS, INC., PNY TECHNOLOGIES, INC., PATRIOT MEMORY LLC, FUSION-IO, INC., OTHER WORLD COMPUTING, INC., and MUSHKIN, INC.,**

## Defendants.

**CIVIL ACTION NO. 2:11-CV-391-JRG**

## JURY TRIAL DEMANDED

**SOLID STATE STORAGE SOLUTIONS, INC.'S  
ANSWER TO OTHER WORLD COMPUTING, INC.'S COUNTERCLAIMS**

Plaintiff Solid State Storage Solutions, Inc. (“Plaintiff” or “S4”) files this Answer to Defendant Other World Computing, Inc.’s (“OWC”) Counterclaims (Dkt. No. 50).<sup>1</sup>

## OWC'S COUNTERCLAIMS

1. S4 admits that a justiciable controversy concerning OWC's infringement of the patents-in-suit exists between OWC and S4, but otherwise denies the allegations of this paragraph.

2. S4 admits that OWC is an Illinois corporation having a principal place of business at 2650 Bridge Lane, Woodstock, IL 60098.

<sup>1</sup> OWC has made certain allegations which appear to relate solely to its affirmative defenses to which no response is required. To the extent S4 has responded, it is without waiver to its position that no response is required. As to OWC's affirmative defenses (unnumbered paragraphs 95-100), no response is required and no admission is made regarding such defenses or prayers which, if necessary, are denied.

3. S4 admits that it is a Texas corporation with its principal place of business at 511 N. Washington Ave, Marshall, Texas 75670.

4. S4 admits that it claims an ownership interest in the patents-in-suit and has asserted that OWC has infringed, induced infringement, and/or contributorily infringed the patents-in-suit.

5. S4 admits that this Court has subject matter jurisdiction over these Counterclaims under 28 U.S.C. §§ 1331 and 1338, and that personal jurisdiction is proper as a result of Solid State having availed itself of this Court to sue OWC.

6. S4 admits that this Court has personal jurisdiction over Solid State.

7. S4 admits that venue in this district is proper with regards to these counterclaims under 28 U.S.C. §§ 1391 and 1400.

#### **FIRST COUNTERCLAIMS FOR RELIEF**

Declaration of Invalidity of Each of the Patents-in-Suit

#### **JURISDICTION AND VENUE**

8. S4 restates and incorporates its responses to paragraphs 1-7 above as though fully set forth herein.

9. S4 denies the allegations of this paragraph.

10. S4 denies the allegations of this paragraph.

11. S4 denies the allegations of this paragraph.

#### **SECOND COUNTERCLAIM FOR RELIEF**

Declaration of Non-Infringement of Each of the Patents-in-Suit

12. S4 restates and incorporates its responses to paragraphs 1-11 above as though fully set forth herein.

13. S4 admits that an actual controversy exists regarding OWC's infringement of the patents-in-suit, but otherwise denies the allegations of this paragraph.

14. S4 denies the allegations of this paragraph.

15. S4 denies the allegations of this paragraph.

**PRAYER FOR RELIEF**

a. S4 denies that OWC is entitled to the relief sought by this paragraph.

b. S4 denies that OWC is entitled to the relief sought by this paragraph.

c. S4 denies that OWC is entitled to the relief sought by this paragraph.

d. S4 denies that OWC is entitled to the relief sought by this paragraph.

e. S4 denies that OWC is entitled to the relief sought by this paragraph.

f. S4 denies that OWC is entitled to the relief sought by this paragraph.

g. S4 denies that OWC is entitled to the relief sought by this paragraph.

**JURY DEMAND**

S4 admits that OWC demands a trial by jury on all issues triable by a jury alleged or relating to this litigation pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Dated: January 10, 2012

Respectfully submitted,

**MCKOOL SMITH, P.C.**

By: /s/ Theodore Stevenson III

Theodore Stevenson III

Lead Attorney

Texas State Bar No. 19196650

[tstevenson@mckoolsmith.com](mailto:tstevenson@mckoolsmith.com)

David Sochia

Texas State Bar No. 00797470

[dsochia@mckoolsmith.com](mailto:dsochia@mckoolsmith.com)

Eric Hansen

Texas State Bar No. 24062763

[ehansen@mckoolsmith.com](mailto:ehansen@mckoolsmith.com)

McKool Smith, P.C.

300 Crescent Court, Suite 1500

Dallas, Texas 75201

Telephone: (214) 978-4000

Telecopier: (214) 978-4044

Kevin Kneupper

Texas State Bar No. 24050885

[kkneupper@mckoolsmith.com](mailto:kkneupper@mckoolsmith.com)

Chris Mierzejewski

Texas State Bar No. 24070270

[cmierzejewski@mckoolsmith.com](mailto:cmierzejewski@mckoolsmith.com)

300 W. 6<sup>th</sup> Street, Suit 1700

Austin, Texas 78701

Telephone: (512) 692-8700

Facsimile: (512) 692-8744

**ATTORNEYS FOR PLAINTIFFS  
SOLID STATE STORAGE  
SOLUTIONS, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that the above and foregoing has been served on all counsel of record on this the 10th day of January, 2012 through the CM/ECF system.

/s/ Eric Hansen  
Eric Hansen